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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

CENTER FOR BIOLOGICAL  
DIVERSITY, a non-profit organization,

Plaintiff,

v.

THE OFFICE OF MANAGEMENT AND  
BUDGET,

Defendant.

No. C 07-4997 MHP

**STIPULATION AND ~~PROPOSED~~  
ORDER REGARDING BRIEFING  
SCHEDULE FOR 1/5/09 VAUGHN  
INDEX AND DECLARATIONS**

IT IS HEREBY STIPULATED by and between the undersigned, subject to the approval of the Court, that the briefing schedule for cross-motions for summary adjudication regarding the *Vaughn* index and declarations that OMB will be submitting on January 5, 2009 is as follows: opening briefs to be filed on or before January 26, 2009; opposition briefs to be filed on or before February 9, 2009; and a hearing on a date to be selected by the Court. The reason for this stipulation is that the parties would like to brief the merits of OMB's January 5, 2009 *Vaughn* index and declarations by means of co-coordinated, simultaneous cross-motions and oppositions. The parties have not previously continued the dates contained in this stipulation.

Respectfully submitted,

DATED: December 19, 2008

By: /s/  
 VERA PARDEE  
 Attorneys for Plaintiff  
 JOSEPH P. RUSSONIELLO  
 United States Attorney

DATED: December 19, 2008

By: /s/  
 MICHAEL T. PYLE  
 Assistant United States Attorney  
 Attorneys for Defendant

**PURSUANT TO STIPULATION, IT IS SO ORDERED:**

The date for the parties to file their papers regarding their anticipated cross-motions for summary adjudication regarding OMB's January 5, 2009 *Vaughn* index and declarations is as follows: opening briefs will be filed on or before January 26, 2009 and opposition briefs will be filed on or before February 9, 2009. The hearing on these cross-motions will be held on the following date selected by the Court February 23, 2009 at 2:00 p.m.

DATED: December 22, 2008

HON. MARILYN HALL PATEL  
 United States District Judge

